

**BOARD OF ATHLETIC TRAINERS
MINUTES**

DATE: May 3, 2018

TIME: 9:00 a.m. C.D.T

LOCATION: 665 Mainstream Drive
Poplar Conference Room, 1st Floor
Nashville, TN 37243

MEMBERS PRESENT: Monroe Abram, AT, Chair
Walter Fitzpatrick, J.D. Consumer Member
Helen Binkley, AT, PhD

MEMBERS ABSENT: Craig Paul Moorehouse, AT, Vice-Chair
Alex B. Diamond, MD

STAFF PRESENT: Michael Sobowale, Unit Director
Mary Webb, Board Manager
Brenda Wimberly-Stewart, Board Administrator
Samuel Moore, Assistant General Counsel
Lori Leonard, Office of Investigations
Noranda French, Finance Officer

I. Call to Order

A roll call of board members and administrative staff present was taken. With a quorum present, Mr. Abram called the meeting to order at 9:00 a.m.

II. Election of Officers

After a brief discussion, a motion was made by Dr. Binkley, seconded by Mr. Fitzpatrick, to keep the same elected officials for Chair and Vice Chair as previously voted upon by the Board. The motion carried.

III. Approval of Minutes

Mr. Fitzpatrick made a motion, seconded by Dr. Binkley, to approve the minutes from the November 2nd, 2017 board meeting. The motion carried.

IV. Office of General Counsel

A. Conflict of Interest

Mr. Moore, Advisory Attorney with the Office of General Counsel reminded Board members of the conflict of interest policy. If a member has any personal or financial interest which might appear to be a conflict of interest, whether it relates to a contested case, a rulemaking issue, or any other Board decision, that fact should be shared with the Board so that a decision may be made regarding the need for recusal.

B. Contested Cases

There are no contested cases to report at this time.

C. Litigation

Mr. Moore reported that there are currently five open cases with the OGC, all of which are in the early stages of litigation. There are currently no pending appeals or civil suits against the Board at this time.

D. Rules

There has been one rule called into question regarding the legal amount that the Board is allowed to charge for a license reinstatement. Rule 1150-01-.09(2)(b) currently allows the Board to charge a reinstatement licensee for every previous renewal fee that they did not pay while their license is inactive. This is in violation of state law that only allows the Board to charge twice the amount of a renewal fee for a reinstatement fee at the very most. After discussion by the Board, Dr. Binkley made a motion, seconded by Mr. Fitzpatrick, to have a rulemaking hearing at the next Board meeting to revise this rule. The motion carried.

Dr. Binkley also made a motion to examine the phrase “restoration fee” as listed in the rules for possible revision/clarification at the next Board meeting. Motion was seconded by Mr. Fitzpatrick. The motion carried.

E. Consent Orders

There are no Consent Orders to present at this time.

F. Agreed Orders

There are no Agreed Orders to present at this time.

G. Orders of Compliance

There are no Orders of Compliance to present at this time.

H. Orders of Modification

There are no Orders of Modification at this time.

V. Office of Investigations Report

Lori Leonard, disciplinary coordinator in the Office of Investigations presented the Office of Investigations report, beginning with the report of currently monitored practitioners. There is currently one athletic trainer on probation, two athletic trainers under a Board Order, and two athletic trainers under revocation. As far as complaints, there have been six (6) new complaints filed against athletic trainers this year. Six (6) complaints have been closed with five of them sent to the OGC for discipline and one complaint closed with no action. Six (6) complaints are pending investigation—two for unlicensed practice and four for practicing on a lapsed license.

VI. Division of Health Licensure and Regulation Report

Noranda French, finance officer in the Division of Health Licensure and Regulation presented the board's financial report, beginning with the Mid-Year report for Fiscal Year 2018. She discussed the mid-year expenditure comparison report, which showed that current expenditures are right on track in comparison to the previous fiscal year. She also presented the end of year projections report for both direct expenditures and allocated expenditures. The current projections for FY2018 shows that the Board would have \$63, 669 in total direct and allocated expenditures, board fee revenue is estimated to be \$104, 450, for a current year net of \$40, 780. The Board is estimated to have a cumulative carryover balance in the amount of \$106, 306 at the end of the fiscal year.

VII. Applicant Interviews/Reviews

- A. **Erica Kibben, AT** - Applicant appeared before the board to be issued a permanent license due to being previously issued a temporary authorization to practice pending full review and decision by the Board regarding her criminal conviction on the charge of Operating While Visually Impaired (OWVI) on June 15, 2016 in the City of Mt. Pleasant, Michigan. After interviewing Ms. Kibben followed by a brief discussion by the Board, a motion was made by Dr. Binkley, seconded by Mr. Fitzpatrick, to approve Ms. Kibben for full licensure without any restriction. The motion carried.

VIII. Ratification of Initial Determinations

A motion was made by Dr. Binkley, seconded by Mr. Fitzpatrick, to approve the

following list of initial and reinstatement applications, with the names in asterisk being reinstatement applications:

3527 Benson Samuel Joseph
3527 Billings Seth Daniel**
3527 Bream Henry T III
3527 Breedlove Chad W**
3527 Carver James Matthew II
3527 Corvo Matthew Anthony
3527 Dunham William
3527 Endelman Elizabeth
3527 Fairley Byron Jamal
3527 Farris Justin
3527 Grell Alexandra Rae**
3527 Griffin Christina Chambers**
3527 Grooms Johnny Allen, Mr.
3527 Harbison Timothy
3527 Harrison Daniel John
3527 Harter Caitlyn
3527 Hernandez Elizabeth
3527 James Christina Danielle**
3527 Jefferson Curtis Alvin
3527 Keegan Colby Duane**
3527 Kibben Erica
3527 Knox Barton Pernell
3527 Lawler Racheal Dr.
3527 Lawrence Megan Morgan**
3527 Lewis Christine
3527 Maldonado David Noel**
3527 Mcalister Maurice
3527 Mccartney Kimberly D Monique
3527 Melhorn Hannah Elyse Merritt
3527 Mize Emily
3527 Morris Chelsea
3527 Myers Benjamin Spencer
3527 Myers Matthew
3527 Oliver Cassie Rene
3527 Osheim Richard, Mr.
3527 Park Olivia Lauran
3527 Patterson Amy Leann**
3527 Payne Leslie Dale**
3527 Pettitt Joseph Harley**
3527 Pierce Jordan, Mr.
3527 Read Kelsey
3527 Rines Allyson

3527 Rodas Luis Dariel
3527 Storey Natalie
3527 Stukenborg Samuel
3527 Walters Richard Allen, Jr.
3527 Williams Johnathan Grant
3527 Williams Kelsie
3527 Wiseman Mark Randy, Mr.
3527 Wolfe Sydney

The motion carried.

IX. Administrative Report

Brenda Wimberly-Stewart gave the administrative report as follows:

Statistical Report

As of April 26, 2018, the statistics for the Board for this reporting period are as follows:

Total Active Licensees: 1,047	Total Renewals: 182
Initial Licensees: 39	Online Renewals: 150
Reinstatements: 11	Cash Office Renewals: 3
Retired: 3	Revenue Renewals: 29
Expired: 46	

For Athletic Trainers, the number of online renewals during this reporting period constituted a usage rate of 83%.

Board Meeting Dates for 2019

The Board meeting dates for 2019 are scheduled for May 2nd and November 7th. A motion was made by Dr. Binkley, seconded by Mr. Fitzpatrick, to approve the 2019 meeting dates as presented. The motion carried.

Agreed Citation

Christina Chambers Griffin, AT#205 - Michael Sobowale presented an Agreed Citation on Christina Chambers Griffin, AT #205. Ms. Griffin practiced on an expired license for approximately four (4) months beginning October 1, 2017 to on or about January 10, 2018. Ms.

Kibben was ordered to pay Civil Penalty totaling six hundred (\$600.00) dollars and also agree to have this Citation reported as a discipline of the Department of Health's Disciplinary Action Report. After review, a motion was made by Dr. Binkley, seconded by Mr. Fitzpatrick, to approve the Agreed Citation as presented. The motion carried.

XI. Correspondence

There was no correspondence to review at this board meeting.

XII. Legislation

There was no new legislation to discuss at this board meeting.

XII. Rulemaking Hearing, Rule Amendments, and Policies

Michael Sobowale discussed that the rules currently do not allow for incomplete applications to be closed after the sixty (60) days deadline listed in the rules for applicants to complete their applications. Mr. Fitzpatrick made a motion, seconded by Dr. Binkley, for the Board to consider a rulemaking hearing at the next board meeting to potentially extend the time period to complete license applications to one hundred and twenty (120) days. The motion carried.

XIII. Discuss New and Old Board Business

A. Discussion of Continuing Education Requirements

The Board discussed the possibility of adding discussion of the board's CE requirements to the rulemaking hearing in relation to the categories of classes approved by the BOC. There have been a lot of discussions lately on CEs related to evidence-based practice in the profession. Dr. Binkley made a motion, seconded by Mr. Fitzpatrick to add this topic to the rulemaking hearing at the next board meeting. This motion carried.

B. Recognition of Joseph Erdeljac, AT, Former Board Chair

Mr. Fitzpatrick made a suggestion to commemorate Mr. Joseph Erdeljac, former board chair at the next board meeting via a Proclamation for his hard work and many contributions in shaping the Athletic Trainers Board. The Board expressed general approval with this suggestion.

Adjournment

There being no further business, Mr. Fitzpatrick moved to adjourn the meeting and motion was seconded by Dr. Binkley. The meeting was adjourned at 10:00 a.m. CDT.

Monroe Abram, Board Chair

Date

These minutes were ratified by the board at the November 1, 2018 meeting.